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Jan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application Serial No. 08/196,812 filed 02/02/94 and
entitled: ELECTRONIC BALLAST WITH PARALLEL-TUNED OUTPUT CIRCUIT

TERMINAL DISCLAIMER TO OBVIATE AN
OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

To the Commissioner of Patents and Trademarks:

I, Ole K. Nilssen, residing at Caesar Drive, Barrington in the County of Cook and State of Illinois, represent that I am the inventor and owner of patent application Serial No. 08/196,812 filed 02/02/94 and entitled ELECTRONIC BALLAST WITH PARALLEL-TUNED OUTPUT CIRCUIT, as well as of U.S. Patent No. 4,692,667 issued 06/08/87 and entitled PARALLEL-RESONANT BRIDGE-INVERTER FLUORESCENT LAMP BALLAST.

I hereby disclaim the terminal part of any patent issuing as a result of application Serial No. 08/196,812 which would extend beyond the expiration date of my U.S. Patent No. 4,692,667; and I hereby agree that any patent issuing from application Serial No. 08/196,812 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to U.S. Patent No. 4,692,667; this agreement to run with any patent issuing from application Serial No. 08/196,812 and to be binding upon the grantee, its successors and assigns.

To cover the requisite fee, a check (#4914) for \$110.00 is enclosed.

Signed at 200 North Harrison Street, Algonquin, State of Illinois this 9th day of March, 1995.

Ole K. Nilssen

050 MH 8/23/95 08196812 115° 110.00 CK

TERMINAL DISCLAIMER MEMO

DATE: 3/28/95

APPL. S.N.: 08/192 812

EXAMINER Y MSS

ART UNIT: 2502

FROM: PARALEGAL GROUP 2500

SUBJECT: DECISION ON TERMINAL DISCLAIMER (T.D.) FILED 3/12/95

I HAVE REVIEWED THE SUBMITTED TERMINAL DISCLAIMER WITH THE RESULTS AS SET FORTH BELOW.

The T.D. is PROPER and has been recorded. (See 14.23)

The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (See 14.24):

- The recording fee of \$ _____ has not been submitted nor is there any authorization in the application file for the use of a deposit account. (See 14.25)
- The T.D. does not satisfy Rule 321(b)(3) in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of interest of the business entity represented by the signature) in the application/patent. (See 14.27 & 14.26.1)
- The T.D. lacks the enforceable only during the common ownership clause - needed to overcome a double patenting rejection Rule 321(c). (See 14.27.1) See Attachment No. 1, paragraph 1.
- It is directed to a particular claim or claims, which is not acceptable since "the disclaimer must be of a terminal portion of the term of the entire patent to be granted." (MPEP 1490) (See 14.26, 14.26.2)
- The person who signed the T.D.:
 - has failed to state his/her capacity to sign for the business entity (See 14.28)
 - is not recognized as an officer of the assignee (See 14.29 and possibly 14.29.1) See attachment No. 1, paragraph 3.
 - No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is there reel and frame number specified as to where such evidence is recorded in the Office. 37 CFR 3.73(b) See Attachment No. 3.
- No statement specifying that the evidentiary document have been reviewed and that, to the best of the assignee's knowledge and belief title is in the assignee seeking to take action. 37 CFR 3.73(b). See 1140 O.G. 72. See Attachment Nos. 2 & 3.
- The T.D. is not signed. (See 14.26, 14.26.3)
- The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect. (See 14.32)
- The serial number of this application being disclaimed is missing or incorrect. (See 14.26, 14.26.4 or 14.26.5)
- The period disclaimed is incorrect or not specified. (See 14.27, 14.27.2 or 14.27.3)
- Verified statement needed. See Attachment No. 1, paragraph 4.
- T.D. cannot obviate a rejection of double patenting under 35 USC 101. Only judicial (obviousness) double patenting can be obviated by a T.D.
- OTHER